



Atty. Dkt. No. 065691-0463

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Luc TERRAGNO et al

Title: LIQUID CONCENTRATE OF BACTERIA THAT ARE ADAPTED AND FIT FOR ALIMENTARY USE

Appl. No.: 10/590,507

International 2/28/2005

Filing Date:

371(c) Date:

Examiner: Unassigned

Art Unit: Unassigned

**INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR §1.56**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Submitted herewith on Form PTO/SB/08 is a listing of documents known to Applicants in order to comply with Applicants' duty of disclosure pursuant to 37 CFR §1.56.

A copy of each non-U.S. patent document and each non-patent document is being submitted to comply with the provisions of 37 CFR §1.97 and §1.98.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

12/04/2006 LLANDGRA 00000046 10590507

01 FC:1617
02 FC:1615

130.00 OP
100.00 OP

TIMING OF THE DISCLOSURE

The listed documents are being submitted in compliance with 37 CFR §1.97(b), before the mailing date of the first Office Action on the merits.

RELEVANCE OF EACH DOCUMENT

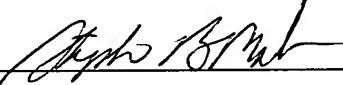
An English summary of FR 2835921 is provided, which should meet the concise explanation of relevance requirement for foreign language references.

Applicants respectfully request that each listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP §609.

Although Applicant believes that no fee is required for this Request, the Commissioner is hereby authorized to charge any additional fees which may be required for this Request to Deposit Account No. 19-0741.

Respectfully submitted,

Date December 1, 2006

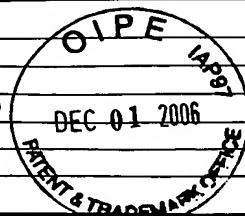
By 

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| Substitute for form 1449/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT Date Submitted: December 1, 2006 (use as many sheets as necessary) | | | | Complete if Known | |
| Sheet | 1 | of | 1 | Application Number | 10/590,507 |
| | | | | Filing Date | 2/28/2005 |
| | | | | First Named Inventor | Luc TERRAGNO |
| | | | | Art Unit | Unassigned |
| | | | | Examiner Name | Unassigned |
| | | | | Attorney Docket Number | 065691-0463 |

**U.S. PATENT DOCUMENTS**

| Examiner Initials* | Cite No. ¹ | Document Number | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear |
|--------------------|-----------------------|--|--------------------------------|---|---|
| | | Number-Kind Code ² (if known) | | | |
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FOREIGN PATENT DOCUMENTS

| Examiner Initials* | Cite No. ¹ | Foreign Patent Document | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Documents | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear | T ⁶ |
|--------------------|-----------------------|--|--------------------------------|--|---|----------------|
| | | Country Code ³ -Number ⁴ Kind Code ⁵ (if known) | | | | |
| A1 | FR 2 835 921 A1 | | 08/15/2003 | Compagnie Gervais Danone | | A |
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NON PATENT LITERATURE DOCUMENTS

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|--------------------|-----------------------|--|----------------|
| Examiner Initials* | Cite No. ¹ | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published. | T ⁶ |
| | A2 | CARIDIS et al., "Pressure effects in cross-flow microfiltration of suspensions of whole bacterial cells," Bioprocess Engineering, 1997, vol. 16, pp. 199-208. | |
| | A3 | CRESPO, J.P.S.G., "Tangential flow filtration for continuous cell recycle culture of acidogenic bacteria," Chemical Engineering Science, 1992, vol. 47, no. 1, pp. 205-214. | |
| | A4 | KIM et al., "Assessment of Stress Response of the Probiotic <i>Lactobacillus acidophilus</i> ," Current Microbiology, 2001, vol. 43, pp. 346-350. | |
| | A5 | MARGOLLES et al., "Characterisation of a <i>Bifidobacterium</i> strain with acquired resistance to cholate - A preliminary study," International Journal of Food Microbiology, 2003, vol. 82, pp. 191-198. | |
| | A6 | REID et al., "Large-scale Harvesting and Concentration of Bacteria by Tangential Flow Filtration," Journal of Applied Bacteriology, 1974, vol. 41, pp. 321-324. | |
| | A7 | SHAH, N.P., "Probiotic Bacteria: Selective Enumeration and Survival in Dairy Foods," J. Dairy Sci., 2000, vol. 83, pp. 894-907. | |
| | A8 | TANNY et al., "Improved Filtration Technique for Concentration and Harvesting Bacteria," Applied and Environmental Microbiology, August 1980. pp. 269-273. | |

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|--------------------|-----------------|
| Examiner Signature | Date Considered |
|--------------------|-----------------|

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. 1 Applicant's unique citation designation number (optional). 2 See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. 3 Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 4 For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. 5 Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. 6 Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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